

**IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

KIMBERLY C. CUTONE, et al.,]	
]	
Plaintiffs,]	
]	
v.]	Civil Action No.: 1:04-cv-12725-JLT
]	
ELI LILLY AND COMPANY, et al.,]	
]	
Defendants.]	

**CONSENT MOTION TO EXTEND TIME TO FILE PLAINTIFFS' OPPOSITION TO
DEFENDANT ELI LILLY AND COMPANY'S MOTION FOR SUMMARY JUDGMENT**

COME NOW the Plaintiffs, by and through counsel, with the consent of Defendant Eli Lilly and Company ("Lilly"), and moves the Court to extend the time in which Plaintiffs shall file their Opposition to Defendant's Motion for Summary Judgment until May 25, 2006, and as grounds therefore states:

1. Defendant filed its Motion for Summary Judgment on May 1, 2006, and Plaintiffs' Opposition to same would be due on May 15, 2006.
2. Defendant's Motion involves complex issues regarding product identification, and requires a more extensive review and preparation in order for the Plaintiffs to properly respond.
3. Counsel for Defendant Lilly has consented to the granting of this Motion.

WHEREFORE, Plaintiff respectfully requests that this Court enter an Order extending the time in which Plaintiffs shall file their Opposition to Defendant's Motion for Summary Judgment to May 25, 2006.

Respectfully submitted,

TODD & WELD LLP

/s/ Erica Tennyson
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LOCAL RULE 7.1(A)(2) CONFERRAL CERTIFICATION

I have been informed that consent to the foregoing Motion to Extend Time to File Plaintiffs' Opposition to Defendant Eli Lilly and Company's Motion for Summary Judgment was granted by counsel for Defendant Lilly on May 3, 2006.

/s/ Erica Tennyson
Erica Tennyson

CERTIFICATE OF SERVICE

I, Erica Tennyson, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on May 3, 2006.

/s/ Erica Tennyson
Erica Tennyson

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[PROPOSED] ORDER

UPON CONSIDERATION of the Consent Motion to Extend Time to File Plaintiffs' Opposition to Defendant Eli Lilly and Company's Motion for Summary Judgment, and for good cause shown, it is this _____ day of _____, 2006,

ORDERED that the Motion be and hereby is GRANTED;

AND IT IS FURTHER ORDERED that Plaintiffs shall file their Opposition to Defendant Eli Lilly and Company's Motion for Summary Judgment on or before May 25, 2006.

JOSEPH L. TAURO
United States District Judge